



REMEMBER THOSE IN PRISON

November 26, 2018

Chairman Kesto and Honorable Committee Members,

As the nation's largest ministry to those behind bars and their families, Prison Fellowship supports the policy recommendations to **"Raise the Age"** as reflected in a bill package including HB 4607 (Lucido) and HB 4659 (Santana). These bills, and the rest included in the package, raise the age for youth to be presumptively tried as adults from 17 to 18 years of age, providing an opportunity to ensure that punishment is proportional, people created in the image of God are treated with dignity, families and communities are kept safe, taxpayer money is stewarded properly, and the opportunity for a second chance is given to those who have paid their debt.

Currently, youth in Michigan who commit a crime at age 17 are automatically tried as adults, regardless of the crime. This practice puts Michigan out of step with the rest of the country, as most other states have now passed reforms that improve public safety while also serving the best interest of our young people. By automatically trying 17-year-olds as adults, Michigan is missing out on a valuable opportunity to correct these young people without giving them a criminal record that will follow them for the rest of their lives, coming at a high price to both the state and these young people's communities.

If adopted, this reform package will increase public safety and improve outcomes for 17-year-old young people who commit crime.

Michigan's government is charged with guiding the state's response to crime, which is a challenging task. This bill package represents a bi-partisan opportunity to begin building a justice system that is restorative for all impacted by it: victims, families, and communities, as well as those who commit a crime. We encourage you to support this package of legislation and are happy to be a resource if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "CDR", followed by a long horizontal flourish.

Craig DeRoche
Senior VP, Advocacy & Public Policy, Prison Fellowship

Rep. Martin Howrylak (District 41)

From: Raise the Age MI <RaiseTheAgeMI@truscottrossman.com>
Sent: Monday, November 26, 2018 3:37 PM
To: Raise the Age MI
Subject: Setting the Record Straight on Raise the Age
Attachments: RTA - Myth Vs Fact FINAL.pdf



Dear Representative,

As you return to session this week, we wanted to clear up some misinformation circulating out there about the much-needed "Raise the Age" legislation.

Lawmakers on both sides of the aisle have worked in good faith and closely alongside diverse supporters, juvenile justice experts, and law enforcement officials over the past couple of years to address policy funding and implementation concerns that arose.

The Michigan Association of Counties has been included in these deliberations from day one.

The good news is there are sound solutions. We're closer than ever to Michigan finally joining 46 other states that have already changed this outdated policy that too often has dire and unintended consequences that last a lifetime for our youth and hurt our communities too.

Please check out the fact sheet below and attached that debunks the more common myths about funding, timing or available bed space. We welcome any questions you may have, as always.

We urge you to vote YES on the Raise the Age package of bills (HBs 4607, 4653, 4659, 4662, 4664, 4675-4678, 4685, 4696, 4741, 4744, 4753, 4793, 4969, 5637, 6396) when they come before you.

Working together, we can do better for our kids, families, communities, and state.

RAISE THE AGE



SETTING THE RECORD STRAIGHT

MYTHS	FACTS
<p><u>MYTH #1:</u> FUNDING</p> <p><i>The costs of implementing are too uncertain and some estimate annual costs could be as high as \$89M annually.</i></p>	<p>The Legislature's Criminal Justice Policy Commission has identified the potential costs and found them to be far lower than presented by the counties, even when confronted with a worst-case scenario.</p> <p>DETAILS:</p> <ul style="list-style-type: none"> • A well-respected third-party conducted an analysis for the Legislature's Criminal Justice Policy Commission determining the total statewide cost to be between \$26 and \$60 million (with \$60M as a "worst case" scenario). • Based on evidence from other states that have implemented RTA, the costs have been less than projected and decline over time. • The \$89M figure referenced was developed by county stakeholders using unverified, self-reported data and failed to parse out juvenile justice costs from child welfare costs, among other shortcomings in methodology.
<p><u>MYTH #2</u> TIMING</p> <p><i>More time is needed. We shouldn't pass these bills in lame duck.</i></p>	<p>Stalling has been an effective strategy to thwart this important legislation and perpetuate the status quo. Good faith efforts to partner with the counties resulted in a new funding bill that satisfies Headlee, yet they still won't support it.</p> <p>DETAILS:</p> <ul style="list-style-type: none"> • Michigan Association of Counties (MAC) used the same argument three years ago, which prompted an independent third-party cost study. • Advocates and legislators, like State Reps. Kosowski and Howrylak, have been working with stakeholders in good faith over the past four years to address concerns. Few requests for legislative changes have been made to their offices for the most recent set of bills, despite an open invitation to do so. • Further delays will have significant, negative, and lasting impacts on 17-year-olds. Youth sentenced to jail or prison are more likely to be physically attacked, sexually assaulted, and to attempt suicide than youth in the juvenile justice system. • If we fail to pass RTA this session, there is significant legislative expertise on this issue that will be lost when many of our current lawmakers are term-limited.

MYTHS

FACTS

MYTH #3: **PROGRAMMING**

17-year-olds require intensive programming which is costly to the system, such as mental health and substance abuse treatment, medication management, and educational programming.

Juvenile courts already provide intensive programming to 17-year-olds and would be able to expand this capacity based on the legislative funding proposals.

DETAILS:

- This legislation allows for 100 percent reimbursement for treating 17-year-olds, ensuring that the needed funds are in place to provide adequate treatment.
- Juvenile courts already have evidence-based programs in place to treat youth. This age appropriate treatment isn't available in the majority of adult facilities.

MYTH #4 **DELIVERY MECHANISM**

There is no funding mechanism to allow the delivery of funds for this population. This places the state in danger of a Headlee violation and the counties at budgetary risk.

HB 6396 provides a two-pronged funding solution that not only satisfies Headlee requirements but was informed by feedback from county stakeholder groups including the MAC.

DETAILS:

- The legislation gives counties two funding options:
 - Newly adjudicated 17-year-olds would be funded through an annual county juvenile grant, paid quarterly, with no change to child care funding for juveniles 16 years of age or younger; or
 - Counties can choose to forgo the grant, thereby opting-in to an increased rate of Child Care Fund (CCF) reimbursement from 50 to 68 percent for ALL delinquent youth served by the juvenile courts. The proposal to increase the reimbursement rate was informed by county stakeholder groups, including the MAC.

MYTH #5 **CAPACITY**

Counties and courts have said there isn't adequate bed space to house juvenile offenders.

Open beds remain in Michigan. Also, infrastructure exists to provide additional bed space if there is a substantiated need before the law takes effect.

DETAILS:

- The vast majority (83 percent) of 17-year-olds would be sentenced to community-based programs and have no impact on bed space. (Source: Legislature's Criminal Justice Policy Commission)
- Declining juvenile court caseloads and a deliberate emphasis on community-based services continues to lessen the need for residential beds.
- The legislative proposal establishes an advisory commission to address additional infrastructure needs, if warranted, during a two-year implementation window.



***How much longer
should our youth
have to wait?***